

PERSONNEL—GENERAL

FOREIGN GOVERNMENT EMPLOYMENT

Headquarters
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Unclassified

SUMMARY of CHANGE

AR 600-291

FOREIGN GOVERNMENT EMPLOYMENT

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By Order of the Secretary of the Army:

BERNARD W. ROGERS
General, United States Army
Chief of Staff

Official:

J. C. PENNINGTON
Brigadier General, United States Army
The Adjutant General

History. This regulation implements Public Law 95-105 (FY 78 Foreign Relations Authorization Act). By this statute, the consent of Congress is granted to retired members of the Army and members of the

Army Reserve components to accept Civil employment with a foreign government with the prior approval of the Secretary of the Army and Secretary of State. Local supplementation of this regulation is prohibited.

Summary. Not applicable.

Applicability. This regulation applies to members of the Regular Army who are within 6 months of retirement, all retired members, and all members of the Army National Guard and US Army Reserve.

Proponent and exception authority. Not applicable.

Army management control process. Not applicable.

Supplementation. Not applicable.

Interim changes. Not applicable.

Suggested Improvements. The proponent agency of this regulation is The Adjutant General's Office. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) direct to Commander, US Army Reserve Components Personnel and Administration center, ATTN: AGUZZT-PAD, 9700 page Blvd, St. Louis, MO 63132.

Distribution. To be distributed in accordance with DA Form 12–9A, requirements for AR, Personnel General.

Active Army: C

ARNG: None

USAR: C

Contents (Listed by paragraph and page number)

Purpose. • 1, *page 1*
Applicability. • 2, *page 1*
Explanation of terms. • 3, *page 1*
Initial procedures. • 4, *page 1*
Responsibilities. • 5, *page 1*
Approved applications. • 6, *page 1*
Disapproved applications. • 7, *page 1*
Reconsideration of disapproved applications. • 8, *page 1*
Action of reconsideration. • 9, *page 1*
Changes in approved Civil foreign government employment. • 10, *page 1*
Withholding of retired pay. • 11, *page 1*

RESERVED

1. Purpose.

This regulation establishes procedures for members of the Regular Army, Army National Guard and the US Army Reserve to obtain approval to accept foreign government employment.

2. Applicability.

This regulation applies to members of the Regular Army who are within 6 months of retirement, all retired members, and all members of the Army National Guard and US Army Reserve.

3. Explanation of terms.

a. Member: Refers to those members of the Army to whom this regulation is applicable as specified in paragraph 2.

b. Foreign government employment: Any civil employment with a foreign government agency or instrumentality of the foreign government whether or not compensation is received.

c. Applicant: Any member who requests approval to accept foreign government employment or who has already accepted foreign government employment and requests approval to continue such employment under the provisions of this regulation.

4. Initial procedures.

Members who desire to accept employment with a foreign government will submit a request in writing directly to Commander RCPAC, ATTN: AGUZ-RCPD-PAD, 9700 Page Boulevard, St. Louis, MO 63132. The request will include—

a. A detailed description of the civil duties to be performed for the foreign government as provided by the prospective employer.

b. A statement that the member will or will not receive compensation for the duties performed.

c. A signed statement that the member will not be required to execute an oath of allegiance to the foreign government involved.

d. If applicable, the date scheduled for retirement or relief from active duty.

5. Responsibilities.

a. Commanding general, US Army Reserve Components Personnel and Administration Center (RCPAC). The CG RCPAC is the DA point of contact for the receipt of requests for approval to accept foreign government employment. Specific responsibilities are to—

(1) Receive applications direct from members and ensure that applications are complete or that necessary data is contained to complete the application.

(2) Review the applicant's official military personnel file to determine if there is any derogatory information that could reflect unfavorably on the United States if such information became known or if there is any possible conflict of interest between previous military assignments and the duties to be performed with the foreign government.

(3) Coordinate with the Assistant Chief of Staff for Intelligence (ACSI) to determine if there is intelligence information that would make the requested foreign government employment inadvisable.

(4) Forward application with appropriate recommendation to the Assistant Secretary of the Army (M&RA). If disapproval is recommended, include supporting details and justification.

b. Assistant Chief of Staff for Intelligence (ACSI). ACSI responds to requests from the CG RCPAC, advising if there is intelligence information that would make the requested foreign government employment inadvisable.

c. Assistant Secretary of the Army (ASA (M&RA)). ASA (M&RA) will—

(1) Approve or disapprove requests by applicants.

(2) Forward approved requests to the Department of State.

(3) Advise the member directly of an application or reconsideration that is disapproved by ASA with an information copy to RCPAC.

(4) Forward approved requests for reconsideration to Department of State.

(5) Advise the member directly of an application or reconsideration that is approved by ASA with an information copy to RCPAC.

6. Approved applications.

ASA (M&RA) will advise the member directly of an approved application, with an information copy to RCPAC.

7. Disapproved applications.

a. The Department of State will advise the member directly of an application that is disapproved with an information copy to the ASA (M&RA) if ASA (M&RA) previously approved the request. ASA (M&RA) will provide an information copy to RCPAC.

b. ASA (M&RA) will advise the member directly of application that ASA disapproves with an information copy to RCPAC.

c. Each disapproval will include the reasons for the disapproval with as much specificity as security and foreign policy considerations permit, and a statement of the member's right to seek reconsideration of the disapproval in accordance with paragraph 8 of this regulation.

8. Reconsideration of disapproved applications.

a. A member whose request has been disapproved may submit a request for consideration directly to the ASA (M&RA) within 60 days after receipt of the disapproval. Members must provide information relevant to the reasons given by the disapproval authority.

b. If no request for consideration is received within 60 days the original disapproval will become final.

9. Action of reconsideration.

a. ASA (M&RA). Upon receipt of a request for reconsideration, ASA (M&RA) will review the request and, if approved, forward it to the Department of State. If disapproved, the final decision to disapprove the application will be furnished directly to the member, with an information copy to RCPAC.

b. Department of State. Upon receipt of a request for reconsideration, Department of State will review the request and make a final decision. A final decision to approve the application will be forwarded to ASA (M&RA) for notification to the member. A final decision to disapprove the application will be furnished directly to the member with an information copy to ASA (M&RA).

10. Changes in approved Civil foreign government employment.

If a member's foreign government employment that was approved in accordance with this regulation is to be materially changed, either by a substantial change in duties specified in the approved application, or by a change of employer, the member must request further approval by the same procedures used for the initial request (para 4).

11. Withholding of retired pay.

Any member, subject to the provisions of this regulation, who accepts Civil employment with a foreign government without the required approval specified in this regulation, is subject to having retired pay withheld in an amount equal to the amount received from the foreign government (Ms.Comp.Gen.B-178538, Oct 1977). This withholding is in addition to any other penalty that may be imposed under law or regulation.

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